

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

LAND ACQUISITION - Decretal Charges - Anantapur District
-Uravakonda Mandal - Mylarampalli Village - Sy.No.18-A,
Extent 15.02 acres acquired for foreshore submersion of PABR
Dam- Award No.21/88 dated 20.06.88 Orders passed by the
Lower court in O.P.No.159/88 dated 22.09.1999-A.S.No.3281/
2000, dated 25.11.2005 - Payment of enhanced Compensa-
tion- sanction of **Rs.2,26,912/-**-Orders-Issued.

IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No 979

Dated: 16-12-2009

Read the following:

- 1) From the District Collector, Ananthapur, Lr.Rc.No. G2/2460/2004,
Dated: 02.06.2009.
- 2) From The Chief Commissioner of Land Administration A.P.,
Hyderabad. CCLA's Lr.No.G4/780/2009, dated:19.09.2009.

ORDER:

The District Collector, Ananthapur, and Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P. Hyderabad in the letters Ist and 2nd read above has reported that the lands in Sy.NO.18-A, Extent 15.02 acres of Mylarampalli village of Uravakonda Mandal of Anantapur District were acquired for foreshore submersion PABR in Award No.21/88 dated 20.6.88. The compensation amount of Rs. 76,972/- was paid to the awardees. Aggrieved the market value fixed by the Land Acquisition Officer, the claimants who received the compensation under protest and requested the Land Acquisition Officer to refer the matter to Civil Court U/s. 18 of the L.A. Act. Accordingly the matter was referred to Civil Court and the case was numbered as **O.P.NO. 159/88**. The Civil Court in its orders dated 22.09.1999 passed Judgment in **O.P.NO.159/88**. enhancing the land value in Sy,No.18-A, Extent 15.02 acres of land value **from Rs.3,300/- to Rs. 10,000/- per acre** and also directed to pay Solatium at 30% on the enhanced market value and Additional Market value on the enhanced land value at 12% for the period between the date of notification and date of taking possession and interest at 9% for a period of one year i.e from the date of taking possession and at 15% p.a. for the remaining period till the date of deposit and the Special Deputy Collector further filed an appeal before the Hon'ble High Court of A.P. Hyderabad against the Lower Court judgment, as the enhancement is 203% and the Hon'ble High Court of A.P. Hyderabad has granted conditional stay to deposit ½ of the Decretal amount. Accordingly the Land Acquisition Officer has deposited an amount of Rs. 1,70,096/- in the Civil Court. The Hon'ble High Court of AP, Hyderabad has confirmed the lower court orders and this appeal is dismissed in **AS.NO. 3281/2000 dated 25.11.2005**.

The Collector, Anantapur District has requested for sanction of an amount of **Rs.2, 30,485/- (Rupees Two lakhs Thirty thousands Four Hundred and Eighty Five only)** towards decretal charges to deposit the same in the Civil Court towards for payment of Decretal Charges to the claimants as ordered by the Hon'ble High Court in **A.S.NO.3281/2000, Dated 25.11.2005** against the **O.P.No.159/88** to avoid further legal complications. The CCLA, A.P. Hyderabad has recommended for an amount of Rs. 2,26,912/-.

After careful examination of the matter, Government hereby accord sanction for an amount of Rs. 2,26,912 (Rupees Two lakhs Twenty six thousands Nine hundred twelve only) towards decretal charges to be deposited in Lower Court in O.P.No. 159/88 in A.S. No. 3281/2000, Dt: 25.11.2005 pertaining to the lands acquired in Sy.No. 18-A, Extent 15.02 acres acquired for foreshore submersion of PABR Dam of Mylarampalli (Village), Uravakonda (Mandal), Ananthapur District subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government/CCLA, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the District Collector, Ananthapur should verify the calculations made by the RDO (LAO), once again thoroughly with references to the decree and instructions issued by the Govt /CCLA, Hyderabad. On the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in the Lower Court.

The District Collector, Ananthapur is directed to deposit the above sanctioned decretal amount in the respective court after thorough verification of calculations made by the Land Acquisition Officer once again at his level and also verify the decrees and decretal charges if any, already paid. He is also directed to follow the directions of Hon'ble High Court dated: 30.4.2007 in W.P. No. 2181/2005 in depositing the above sanctioned decretal amount in the respective court.

The amount sanctioned in para (3) above shall be debited to the detailed Head of Account "4701- COL-M1, MH – 101-SW-GH(II)-NSP-SH(12)-C&R of M1 Schemes – 530 Major works 532 - Land (Charged)".

This order issues with the concurrence of Finance (W & P) Department vide their U.O.No. 4511/F.5 (A1)/09, Dated: 4.12.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA,
DEPUTY SECRETARY TO GOVERNMENT.

To
The Special Chief Secretary & CCLA, A.P. Hyderabad
The District Collector, Ananthapur
The Chief Engineer, Irrigation, Hyderabad
The Special Deputy Collector, L.A. HLC, Ananthapur
The Revenue Divisional Officer, Ananthapur
The Superintending Engineer, I & CAD, Ananthapur
The Director of Works and Accounts, Hyderabad
Copy to
P.S. to Minister (M & MI)
Law Department/Finance (W&P) Department
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//FORWARDED BY ORDER//

SECTION OFFICER